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Altarum Institute

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American Heart Association

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Community Policy Action Team*

Education Policy Action Team*

Health, Family, and Child Care Services Policy Action Team*

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Michigan Department of Human Services

Michigan Department of Licensing and Regulatory Affairs

Michigan Department of Transportation

Michigan Forest Management

Michigan State Police

Michigan State University

Advocates for Healthy Weight in Children

Testimony

House Criminal Justice Committee

HB 4792 & HB 4799

September 11, 2013

Good morning Chairman Heise and committee members. Thank you for the opportunity to testify on this important legislation. I am Mike Maisner, Vice President of Active Communities for the Michigan Fitness Foundation. I also serve as Chair of Healthy Kids, Healthy Michigan, a coalition of more than 150 organizations all dedicated to reducing childhood obesity in our state.

I am here to testify in support of the Vulnerable Roadway User legislation, House Bills 4792 and 4799. This legislation contains penalties similar to those used in numerous states and communities across the country. It creates enhanced penalties for drivers who injure or kill a vulnerable roadway user, defined as a bicyclist, pedestrian or wheelchair user. The enhanced penalties include community service, driver-improvement education, fines, and jail time, as well as a mandatory one-year license suspension. These would only apply if a driver committed a moving violation resulting in the injury or death of a non-motorized user who was following Michigan traffic laws. In Michigan, similar enhanced penalties already exist for reckless drivers who injure or kill highway construction workers, children in designated school zones, or operators of slow-moving farm vehicles.

Currently, crashes involving bicyclists legally using public roads often result in minor consequences for careless drivers that injure non-motorized users. Unless a victim can prove that the driver was grossly negligent, he or she usually has limited legal recourse. In practice, Michigan law places little burden on drivers to be alert for other roadway users. A vulnerable roadway user provision would provide law enforcement and prosecutors with an enhanced set of penalties that fill the gap between basic traffic infractions and more serious crimes.

Michigan currently leads the nation with nearly 90 locally adopted Complete Streets policies. As communities implement Complete Streets, more and more individuals will choose active transportation, like walking and biking. In an effort to combat childhood obesity, the Healthy Kids, Healthy Michigan Coalition wants to build on the successful passage of statewide Complete Streets legislation by advancing complimentary initiatives that promote non-motorized safety. We are facing an obesity epidemic across this country and especially here in Michigan. The harsh reality is that for the first time in history, we have a whole generation of young people that will have a shorter life expectancy than their parents (Centers for Disease Control and Prevention). We need to get people up, out and active. Creating a safer environment for non-motorized transportation is a great way to encourage that positive behavior change.



Healthy Kids, Healthy Michigan

Advocates for Healthy Weight in Children

Becoming a more bicycle and pedestrian friendly state has many advantages. Not only does it increase opportunities for physical activity and help create a healthier population and workforce, but it also means more people on the streets which leads to greater safety and security. Active transportation has been recognized as an economic driver as well. Walkability and bikeability are key components in developing those vibrant communities where the best and brightest want to live and therefore businesses want to locate.

According to the Michigan State Police, the number of bicycle and pedestrian injuries and fatalities are on the rise. The time for positive change is now. Michigan has an opportunity to become a leader in protecting vulnerable roadway users and encouraging active transportation, just as we became a national leader in the Complete Streets movement.

Thank you.

Michael J. Maisner

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